

Exhibit 26

PLAINTIFF HARFORD COUNTY BOARD OF EDUCATION OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT (HARFORD) (SD MSJ NO. 6)

Case No.: 4:22-md-03047-YGR

MDL No. 3047

Member Case No.: 4:23-cv-03065-YGR

In Re: Social Media Adolescent Addiction/Personal Injury Products Liability Litigation

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: SOCIAL MEDIA ADOLESCENT)
ADDICTION/PERSONAL INJURY) MDL No.
PRODUCTS LIABILITY LITIGATION) 4:22-md-3047-YGR
-----)

THIS DOCUMENT RELATES TO:)

BOARD OF EDUCATION OF HARFORD)
COUNTY V. META PLATFORMS INC.,)
ET AL.)

CASE NO.: 4:23-CV-03065)

VIDEOTAPED DEPOSITION OF DWAYNE EDWARD WILLIAMS
Harford County Public Schools Central
Administration Building
102 South Hickory Avenue,
Bell Air, Maryland
Monday, May 5, 2025, 1:36 p.m.

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P R O C E E D I N G S

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THE VIDEOGRAPHER: We are now on the record.

My name is Bradley Loy. I'm a videographer for Golkow, a Veritext division.

Today's date is May 25 [sic], 2025. The time is 1335.

This video deposition is being held in Bel Air, Maryland, in the matter of Social Media Adolescent Addiction/Personal Injury Products Litigation for the U.S. District Court of Northern District of California.

The deponent is Dwayne Williams.

Counsel will be noted on the stenographic record.

The court reporter is Cindy Hayden and will now swear in the witness.

* * *

DWAYNE EDWARD WILLIAMS,
having been first duly sworn, was examined and testified as follows:

* * *

EXAMINATION

BY MR. KEYES:

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1 Q. Good afternoon, Mr. Williams. We've
2 met before. My name is Andrew Keyes. I'm an
3 attorney with the law firm of Williams & Connolly,
4 and we represent the Google and YouTube defendants.

5 Would you please state your full name
6 for the record?

7 A. Dwayne Edward Williams.

8 Q. You gave a testimony -- a deposition
9 earlier today as a corporate representative of
10 Harford County Public Schools, correct?

11 A. I did.

12 Q. Do you understand that you are still
13 under oath?

14 A. Yes, I do.

15 Q. And you are still under oath and giving
16 testimony as if you were in a courtroom before a
17 judge and a jury?

18 A. I do.

19 Q. You testified earlier about the
20 preparation you did before your deposition as a
21 corporate representative of Harford County Public
22 Schools.

23 Did you do any other prep for this
24 deposition of you as a fact witness?

25 A. No, I did not.

1 (WILLIAMS EXHIBIT 1, Resume for Dwayne
2 (Buzz) Williams, was marked for identification.)

3 BY MR. KEYES:

4 Q. I'm showing you what has been marked as
5 Williams Exhibit 1.

6 What is this exhibit?

7 A. That is a resume that I created and
8 submitted to our legal counsel for this procedure.

9 Q. When did you prepare this resume?

10 A. Recently. April, maybe. April 2025.

11 Q. And you prepared it in connection with
12 today's deposition?

13 A. Yes.

14 Q. This has a section for your education.
15 It says you have a bachelor's degree in physical
16 education from Towson University?

17 A. Yes.

18 Q. When did you get that degree?

19 A. 1992.

20 Q. And then it says you got a master's
21 degree in school counseling from Johns Hopkins
22 University?

23 A. 2000.

24 Q. This resume also lists certifications.

25 Before we get to certifications, do you

1 have any other degrees besides your master's degree
2 and your bachelor's degree?

3 A. No.

4 Q. In the Certifications section, you say
5 you are a nationally certified hearing official.

6 What is that?

7 A. That is a credential provided by the
8 National Association of Hearing Officers, which has
9 two subclassifications: an administrative law
10 judge, which I do not qualify for, and an
11 administrative hearing officer, which I do.

12 Q. And what does getting this
13 certification make you eligible to do?

14 A. To conduct administrative hearings for
15 any administrative body. But, in this case, as the
16 superintendent's designee for student discipline.

17 Q. When did you obtain your national
18 certified hearing official certification?

19 A. This is an -- an educated guess. At
20 about 2018. I really don't remember.

21 Q. Okay. And what did you have to do in
22 order to get this certification from the National
23 Association of Hearing Officers?

24 A. Document that I conduct administrative
25 hearings for at least three years and had

1 satisfactory performance evaluations, completed 120
2 clock hours of instruction in specific coursework,
3 complete an interview with somebody on the National
4 Association of Hearing Officers certification
5 committee, and be a member in good standing for at
6 least one year.

7 Q. Are there any continuing education
8 requirements for being a nationally certified
9 hearing official?

10 A. Yes.

11 Q. What are those?

12 A. I want to say every four years, if I'm
13 not mistaken, there is an additional number of
14 hours. And I believe the number is 40 clock hours.

15 And most of us simply attend the
16 national conference, which is a four-day
17 conference, which satisfies almost all of the
18 recertification requirements.

19 Q. Do you attend the conference every
20 year?

21 A. I try to. Last year, I did not. But
22 I'm -- I am still a member in good standing and
23 certified, I think, through '26.

24 Q. If you attend the four-day conference
25 in one year, does that essentially give you enough

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1 hours to satisfy the 40-clock-hour requirement for
2 every four-year period?

3 A. I'm -- I'm -- I want to change that to
4 20 because your question prompted me to remember
5 you get 16 for the conference and then you have to
6 add 4.

7 So instead of 40, I believe it's 20.
8 And I think it's 16 for the conference and 4
9 additional clock hours beyond that.

10 Q. You also list some education
11 certifications on your resume.

12 What is the physical education
13 certification?

14 A. That's a credential offered by the
15 Maryland State Department of Education that allows
16 me to teach kindergarten through 12th grade
17 physical education for public school.

18 Q. How did you get that credential?

19 A. By completing the bachelor's degree and
20 passing the national teachers exam in '92.

21 Q. Are there any continuing education
22 requirements for that?

23 A. You do have to maintain your
24 certification and -- and provide a certain number
25 of hours in professional development, and I did

1 that for many years.

2 But I am 32 years into my career now,
3 and I qualify for some sort of a waiver that says:
4 You've been doing this long enough. You know, you
5 don't have to do it anymore.

6 Q. Did you teach physical education for
7 any period of time to K through 12 students?

8 A. Seven years, not in the public school
9 system. It was for the Kennedy Krieger School
10 System, which is a nonprofit in Baltimore City.

11 Q. What was that seven-year period?

12 A. '92 to '99.

13 Q. And what grade or grades did you teach?

14 A. Elementary school and middle school, K
15 through 8.

16 Q. What is the special education
17 certification?

18 A. That's a credential on my certificate
19 which states that I have years of experience and --
20 and qualifications to be able to work as a special
21 education teacher and participate in IEP meetings
22 and know what I'm talking about when it comes to
23 special education.

24 Q. This is distinct from being a physical
25 education teacher?

1 A. It's an additional credential, if you
2 will.

3 Q. Okay. And how did you get the special
4 education credential?

5 A. By working in the intensive environment
6 of the Kennedy Krieger Institute and then providing
7 my transcripts to Baltimore -- or to Harford County
8 Public Schools and having, I believe, one or two
9 graduate credits in special education, that was
10 awarded.

11 Q. Are there any continuing education
12 requirements for that credential?

13 A. It's -- it's all lumped in the same
14 state certification. So as long as I maintain my
15 state certification, those continue.

16 Q. As long as you maintain which
17 certification?

18 A. It's just a general Maryland State
19 Department of Education teaching certificate. So
20 physical education -- all -- all of those
21 automatically go along with it.

22 Q. Okay. Is that the same for the other
23 two education certifications listed here?

24 A. Yes. And -- and there's one that I did
25 not include, which is school counselor. So it

1 should be on there, but it's not.

2 Q. Did you teach special education for any
3 period of time?

4 A. Seven years at Kennedy Krieger School
5 System.

6 Q. Was it the same seven-year period when
7 you were a physical education teacher?

8 A. Correct.

9 Q. So '92 to '99?

10 A. Correct. Everybody there is involved
11 in teaching students with special needs.

12 Q. Are all of the students in the Kennedy
13 Krieger School System students with special needs?

14 A. Correct.

15 Q. All right.

16 A. It's a nonpublic special education
17 facility.

18 Q. Have you taught special education since
19 1999?

20 A. No.

21 Q. Have you taught physical education
22 since 1999?

23 A. No.

24 Q. Okay. What is the pupil personnel
25 worker certification?

1 A. In layperson's terms, it's a modern-day
2 combination of social worker and truant officer.

3 Q. And is this a certification you also
4 got from the Maryland State Department of
5 Education?

6 A. Correct.

7 Q. And then have you worked as a pupil
8 personnel worker?

9 A. I supervise pupil personnel -- 14 pupil
10 personnel workers at this time.

11 In terms of -- of being an actual
12 employee of Harford County Public Schools as a
13 pupil personnel worker, I went straight into
14 supervising the department.

15 Q. So did you ever work as a pupil
16 personnel worker yourself?

17 A. No, I have not.

18 Q. Okay. So did you ever work as a social
19 worker in Harford County Public Schools or any
20 other school system?

21 A. No, I have not.

22 Q. Did you ever work as a truant officer
23 in Harford County Public Schools or any other
24 school system?

25 A. No.

1 Q. For how long have you supervised pupil
2 personnel workers?

3 A. Again, I'm giving you an estimate
4 because I'm just not real good with time. I
5 believe it was around 2017 when I added -- that
6 responsibility was added to my existing student
7 discipline responsibilities.

8 Q. And so have you then supervised pupil
9 personnel workers since roughly 2017 always in
10 Harford County Public Schools?

11 A. Yes, that's correct.

12 Q. Have you always supervised 14 public
13 personnel workers, or has that number changed over
14 time?

15 A. It changed. It started as 9 and has
16 gradually increased to 14.

17 Q. And of the 9 pupil personnel workers
18 that you first supervised roughly in 2017, how many
19 of those were social workers and how many of those
20 were truant officers?

21 A. Neither. And maybe I wasn't clear.
22 That was just my way of explaining what a pupil
23 personnel worker does to somebody who might not be
24 familiar with -- with the school system.

25 I can give you a more detailed view of

1 what they do. But, in reality, if you know what a
2 social worker and a truant officer does, you know
3 what a PPW does.

4 Q. Okay. In your own words, what does a
5 PPW do?

6 A. They provide support to our students
7 and our families and our administrators in four
8 core areas. I remember it like the person's name
9 CARL, C-A-R-L. And that's: consultant, advocate,
10 resource provider and liaison to community
11 agencies.

12 Practically speaking, they work with
13 parents to improve student attendance.

14 And they are unofficially gatekeepers,
15 so to speak. They -- they manage all students
16 coming into and out of the school system for what
17 are called "special enrollments."

18 A student who enrolls in a school under
19 normal conditions with all the appropriate birth
20 certificate, documentation, transcript from another
21 school just enrolls into a counselor's office.

22 But if anything is out of the ordinary,
23 it becomes a special enrollment, and pupil
24 personnel workers manage that.

25 They're in charge of providing

1 educational services for students who are homeless,
2 for students who are on home and hospital
3 instruction. And they manage the home school
4 program for Harford County Public Schools.

5 Q. Do you know how many homeless students
6 there are in Harford County Public Schools
7 currently?

8 A. I do not. And I wouldn't want to make
9 an educated guess because that's a -- that's a very
10 specific question.

11 I have an expert in that field who
12 works as the liaison. Her name is Pamela Smith.

13 It's important to -- to recognize that
14 the definition of "homeless" is maybe different
15 than what most people recognize.

16 Most people would think somebody who's
17 on the street or in a tent or some -- someplace
18 like that.

19 Students who don't have a fixed
20 permanent address -- maybe they're living with an
21 uncle in transition because something is going on
22 with their family -- would also be considered
23 homeless.

24 So you -- you have to recognize that
25 there is a continuum of homelessness.

1 Q. Do you know how many homeless students
2 there are -- there were in Harford County Public
3 Schools in any prior year?

4 A. I can get that number for you, but I
5 don't. If I had to make an educated guess, I would
6 say somewhere between 4- and 500 students.

7 And -- and the -- I know that the free
8 and reduced meals is often an indicator of income.
9 And I know that the what we call "FARMS," free and
10 reduced meals, indicator has shown that students --
11 we've had an increase in that. That correlates to
12 homelessness.

13 Q. You know there's an increase in the
14 numbers of students in Harford County Public
15 Schools who receive or are entitled to receive free
16 and reduced meals?

17 A. It is -- yes. The answer is yes.

18 Somewhere in the last five years,
19 between roughly 30 percent to about 40 percent are
20 just over of the students attending our school
21 system.

22 Q. And what was that equivalent percentage
23 before COVID?

24 A. Around the 30. So the increase was
25 about 30 percent to 40 percent. And I could be off

1 one or two numbers there, but that's a pretty close
2 approximation.

3 Q. So your best estimate is that roughly
4 30 percent of the Harford County Public School
5 students were -- were eligible for free and reduced
6 meals before COVID. Yes?

7 A. Yes.

8 Q. And that number has increased
9 post-COVID to roughly 40 percent of the Harford
10 County Public School students?

11 A. Yes.

12 Q. And is it your belief that there was a
13 similar increase in the number of students in
14 Harford County Public Schools who were homeless
15 between pre-COVID and post-COVID?

16 A. There was an increase. And -- and I
17 just -- I can't recollect the numbers well enough
18 under oath to be able to give you an estimate.

19 Q. Is there a database that tracks the
20 number of students who are homeless?

21 A. Ms. Smith keeps those numbers, as we
22 do, on Excel spreadsheets. It's not something
23 that's kept in our database.

24 Q. Is there a database that tracks the
25 number of students who are eligible for free and

1 reduced meals?

2 A. I believe that's a field in eSchool
3 that could generate a report. And it's possible
4 that homelessness is a field also. I'm just not
5 familiar with it.

6 Q. Has the work of the pupil personnel
7 workers you've overseen changed since roughly 2017?

8 A. Yes.

9 Q. How so?

10 A. The effort -- increased effort and
11 energy and time spent on getting students to attend
12 school more regularly is the bottom line.

13 Q. And is that more pronounced after COVID
14 than it was before COVID?

15 A. Yes.

16 Q. Is it your belief that COVID
17 exacerbated that problem?

18 MR. LEGG: Objection to form and
19 foundation.

20 THE WITNESS: It got exacerbated during
21 COVID. The effect of COVID, I can't really answer.
22 But it was certainly a lot worse when we returned
23 to school in 2021.

24 BY MR. KEYES:

25 Q. I want to make sure I understand.

1 You're saying the -- the problem of
2 nonattendance at school is worse post-COVID than it
3 was pre-COVID, but you -- you can't necessarily
4 attribute it to COVID; is that accurate?

5 A. That's what I'm saying.

6 Q. Okay. Are you aware of any study or
7 report or analysis by Harford County Public Schools
8 into either quantifying the problem of
9 nonattendance or the reasons for nonattendance?

10 A. Not a study or an analysis. We have a
11 new attendance procedure which has been piloted in
12 six schools, and I manage that -- that process.

13 So what that does is indicates where
14 the problems may be and how we might address them
15 better so we can improve attendance.

16 Q. Separate from the problem of
17 nonattendance getting worse since 2017, has the
18 work of the pupil personnel workers you've overseen
19 changed since roughly 2017?

20 A. Yes.

21 Q. How so?

22 A. We have two types of pupil personnel
23 workers. Categories, if you will. One is called a
24 community school pupil personnel worker. I'll call
25 it PPW, if that's okay.

1 Those community school PPWs are funded
2 by federal funds known as community schools funds,
3 which are awarded to schools who have populations
4 with low income or schools with more need. So
5 their individuals and their time is devoted and
6 dedicated to that one school and the needs of that
7 school.

8 The other category is called a regional
9 PPW, and they serve multiple schools.

10 So the position of community school PPW
11 didn't exist when I started supervising the program
12 and has recently evolved, and that's how we went
13 from 9 to 14. We still have nine regions in the
14 county. The additional five are community schools
15 PPWs.

16 Q. So when you started supervising PPWs in
17 2017, each region in the county had its own PPW?

18 A. Correct. And they still do.

19 Q. Okay. And that remains today.

20 And then since 2017, in addition to
21 keeping those nine PPWs, Harford County Public
22 Schools has -- has hired five more PPWs --

23 A. Correct.

24 Q. -- to be community school PPWs?

25 A. That's correct.

1 Q. Which means each of those PPWs is
2 assigned to a particular school and only that
3 school?

4 A. Correct.

5 Q. And you said the community school PPWs
6 are funded by federal dollars?

7 A. There may be some state money. That's
8 beyond my pay grade to figure out. But I know that
9 it's -- it's not our operating budget. It comes
10 from -- it's a grant source.

11 Q. And is that driven by formulas that
12 measure the income of the student -- or the
13 families attending those schools?

14 A. There is a formula, and I know that
15 income is a big part of it. But there may be
16 other -- other components that I don't know.

17 Q. Before these five community school PPWs
18 were hired, was there just not federal funding for
19 that position? Or there was funding, but there
20 were no Harford County Public Schools that
21 qualified for it?

22 MR. LEGG: Objection to form and
23 foundation.

24 Go ahead.

25 THE WITNESS: It's the latter. As

1 money became available, our senior leadership were
2 asking principals, "What would you like to do with
3 this additional income or -- or money, spend --
4 money that you could spend?"

5 And several principals said, "We really
6 need help getting students to attend school and
7 changing the -- the mindset of the parents and the
8 students."

9 And that's why they chose PPWs. Mostly
10 to improve attendance, but what the state calls
11 "reducing chronic absence."

12 BY MR. KEYES:

13 Q. So was there federal funding available
14 for community school PPWs before 2017?

15 A. Not to my knowledge. And if there was,
16 I wouldn't have known about it. I only know about
17 it once my supervisor says, "Hey, a principal is
18 asking for a PPW with their additional money."

19 Q. Okay. And when you say "their
20 additional money," you're talking about the
21 additional federal funds that are available through
22 this particular program?

23 A. Correct.

24 Q. If the community school PPWs are funded
25 by federal dollars, how are the regional PPWs

1 funded?

2 A. Through our regular school budget.

3 Q. And that hasn't changed since 2017?

4 A. It has not, no. There was a -- there
5 was a period where our board did employ a tenth,
6 but that position was cut maybe two years ago.

7 Q. Why was that position cut?

8 A. Budgetary constraints.

9 Q. And where did that tenth PPW work, if
10 not in one of the nine regions?

11 A. In our Edgewood High School region,
12 which -- they're based out of the middle school,
13 but they serve several schools in that area.

14 Q. So were there -- so were there two --
15 two community --

16 A. Two regionals at that point.

17 Q. Gotcha. Okay. Two regional PPWs for
18 that one region?

19 A. That's correct.

20 Q. What is the School Administrator II
21 certification?

22 A. That allows me to be a principal
23 whereas I allows you to be an assistant principal.
24 Just a little bit more graduate work and some legal
25 stuff.

1 Q. If you're a School Administrator I, you
2 can be an assistant principal. And if you're a
3 School Administrator II, you can be a principal?

4 A. Correct.

5 Q. And when did you get the School
6 Administrator II credential?

7 A. In two -- in 1999, 2000, right in that
8 era, I became the principal of the Kennedy Krieger
9 High School for four years and required that
10 credential.

11 Q. Before 1999, did you have the School
12 Administrator I credential?

13 A. Yes. But it's a bit of a blur, to be
14 honest, Mr. Keyes.

15 Q. Did you ever work as an assistant
16 principal before you worked as a principal at
17 Kennedy Krieger High School?

18 A. Technically, yes. I was titled an
19 assistant principal and became principal all in the
20 same year because the school was growing. It was a
21 start-up school for Kennedy Krieger.

22 Q. Okay. So when Kennedy Krieger High
23 School was starting up, you started the school year
24 as an assistant principal and then later, during
25 that same school year, became a principal?

1 A. Right.

2 Q. And for how many years were you a
3 principal at Kennedy Krieger High School?

4 A. Four years, through 2003.

5 Q. Have you worked as a principal since
6 2003?

7 A. No.

8 Q. Have you worked as an assistant
9 principal since 2003?

10 A. Yes. Beginning 2004 with Harford
11 County Public Schools.

12 Q. And where were you an assistant
13 principal?

14 A. In multiple schools. I'll -- I'll list
15 them, if you'd like.

16 Q. Well, your resume shows that you were
17 an assistant principal from 2003 to 2009. How many
18 different schools did you work in as an assistant
19 principal?

20 A. I'm going to have to list them.
21 Aberdeen, Bel Air, C. Milton Wright, Edgewood
22 Middle School. Is that four?

23 Aberdeen, Bel Air, C. Milton Wright,
24 Edgewood Middle School. Four.

25 Q. Was there any point in time where you

1 were an assistant principal for more than one
2 school at the same time?

3 A. No.

4 Q. Okay. So you moved from school to
5 school to school to school?

6 A. Correct.

7 Q. Okay. Have you served as an assistant
8 principal in any Harford County Public Schools
9 since 2009?

10 A. No. I -- I became the administrative
11 superintendent's designee for student discipline at
12 that point, and I've been in that role since.

13 And I see that earlier, when we were
14 talking about 2017, I acknowledged that I'm not
15 real good with dates. I actually did look it up
16 when I put my resume together. It says 2015 to
17 present.

18 Q. Okay.

19 A. So, for the record, it was probably
20 2015.

21 Q. 2015 to the present when you've been a
22 pupil personnel supervisor?

23 A. Supervisor. So --

24 Q. So were there roughly nine PPWs in
25 2015, when you started?

1 A. That's correct.

2 Q. And that's grown over the years to 14?

3 A. Correct.

4 Q. Okay. And when you worked as a pupil
5 personnel supervisor, that was in addition to your
6 work as the superintendent's student discipline
7 hearing official, correct?

8 A. Yes. In addition.

9 Q. Okay. Are there other superintendent
10 student discipline hearing officials for Harford
11 County Public Schools?

12 A. Yes. There's a two-part answer to my
13 question.

14 Anyone who is an administrator in the
15 central office can fulfill that role. But since
16 two thousand, I want to say, eighteen, a second
17 hearing officer, Joseph DiBasilio, has worked under
18 my supervision in that role.

19 Q. Okay. So since 2018 there have only
20 been two discipline hearing officials?

21 A. Yes. And an additional nuance is our
22 executive directors can act in that capacity and,
23 at times, have acted in that capacity to make
24 disciplinary decisions either in my absence or in
25 addition to my decisions.

1 Q. And then your assistant could be the
2 discipline hearing official for a particular
3 disciplinary hearing and make the decision about
4 discipline?

5 A. That's correct. Mr. DiBasilio.

6 Q. And then can the discipline hearing
7 official's decisions be appealed?

8 A. Yes.

9 Q. To whom or what?

10 A. For student discipline, the appeals go
11 straight to the Board of Education for a majority
12 vote, which is either a five-, seven-, or a
13 nine-person panel.

14 Q. And when is it a five-person versus a
15 seven-person versus a nine-person panel?

16 A. Based on availability of our somewhat
17 volunteer -- quasi-volunteer board.

18 Q. When there is an appeal to the Board of
19 Education, is there a separate hearing before the
20 board?

21 A. Two-part answer. If it involves the
22 laws related to extended suspension and expulsion,
23 there's an in-person hearing. And if it's related
24 to an administrative transfer, there is a
25 documentation-based hearing.

1 Q. So a documentation-based hearing is
2 someone reviews the record and makes a decision,
3 but they may not take testimony or hear from people
4 directly?

5 A. That is correct.

6 Q. Okay. And is there an appeal from the
7 Board of Education's ruling of a disciplinary
8 hearing official's decision?

9 A. Yes. To the Maryland State Board --
10 Department of Education's Board of Education,
11 typically called the State Board.

12 Q. Are there statistics that are publicly
13 reported about the number of decisions by a
14 discipline hearing official that are appealed to
15 the Harford County Public Schools Board of
16 Education?

17 A. I'm not aware of it. But if it was, I
18 would love it because they have a great record.

19 Q. Do you have documents that you maintain
20 regarding those appeals?

21 A. Not an official report that I could
22 press a button and create. But I -- I do keep a
23 file --

24 Q. What's that file --

25 A. -- that includes --

1 Q. Sorry to interrupt.

2 A. Just an appeals file in my computer.

3 Q. Are there statistics that are publicly
4 reported about the number of decisions by the
5 Harford County Public Schools Board of Education
6 that are appealed to the state Board of Education?

7 A. It's researchable because that
8 information is published online, but it's not in a
9 report format. You would have to somehow figure
10 out how to go through the database and figure out
11 all the Harford County Public Schools cases.

12 Q. Do you have any documents that you
13 maintain regarding those appeals?

14 A. Only one. Because it was an
15 aggravating case for me, so I kept it so I could
16 learn from it.

17 Q. Okay. So did you work as a teacher
18 after 1999?

19 A. I have not taught since 1999. That was
20 my -- the beginning of my administrative career.

21 Q. So from 1992 to 1999, you were a
22 teacher in physical education and special
23 education. Then you were a principal -- assistant
24 principal and a principal. And then you held the
25 other positions listed on your resume?

1 A. In Harford County, an assistant
2 principal at four different schools before this
3 current position.

4 Q. Okay. Gotcha.

5 When you were the assistant principal
6 at those schools between 2003 and 2009, were
7 students given access, either on a district-issued
8 device or on the district's network, to YouTube?

9 A. I do not recall YouTube being used
10 during my time as an assistant principal. It could
11 have been, but I...

12 Part of my responsibility was to
13 supervise teachers, and I do not recall teachers
14 using YouTube in any of my informal or formal
15 observations. It could have happened.

16 Q. Okay.

17 A. It wasn't --

18 Q. You don't have a recollection one way
19 or the other?

20 A. No, I do not.

21 Q. Is that fair?

22 A. That's fair.

23 Q. Okay. I've seen documents referring to
24 bullying forms. What are bullying forms?

25 A. An online fillable form that comes in

1 two formats. One is a complaint form that a parent
2 completes and hits submit and it goes into a
3 database -- an internally managed database.

4 The principal or whoever is listed as
5 the principal for the school that shows on a
6 drop-down gets that via an email. They are then
7 responsible for addressing or assigning a designee
8 to complete the investigation.

9 The investigation is the second online
10 form that is kept in that database. So there is a
11 complaint form which should have a matching
12 investigative form.

13 And the reason those exist is because
14 we're required to provide that data to the Maryland
15 State Department of Education.

16 Q. Is there some database that aggregates
17 the information on those forms?

18 A. It is not. You would get -- you would
19 get individual reports, but you can't say how many
20 of the bullying reports included X, Y or Z
21 criteria.

22 Q. And how do these bullying forms match
23 up with the data in eSchool, if at all?

24 A. It -- it's not going to be a one-to-one
25 because we train principals that if you get an

1 electronic complaint form, you have to have an
2 electronic investigative form.

3 But if you get it written on, you know,
4 a piece of paper or a Post-it Note that's handed to
5 you in the morning, still take it seriously, just
6 as seriously as the complaint form, but you don't
7 have to go through the extra steps of completing
8 the complaint and investigative form. Just address
9 it as a hard copy matter.

10 And, of course, it still gets listed in
11 the eSchool database if the student is found
12 responsible.

13 So there, in theory, should be more
14 actual bullying reports in the eSchool database
15 than there would be in the online bullying and
16 harassment file.

17 Q. So where -- where would you go to find
18 all of the bullying forms that have been filled
19 out?

20 A. I would click on a link that I have
21 available on my computer that's listed literally as
22 Bullying Harassment Reporting. And then I can
23 toggle back and forth between the complaint forms
24 and the investigative forms.

25 Q. Okay. I was going to ask you about

1 harassment forms. Are those different than the
2 bullying forms?

3 A. They're all -- they're all considered
4 one.

5 Typically, bullying is -- the way I
6 trained principals is that's mean behavior. But if
7 you attach a label to it -- you're being mean and
8 you're calling somebody a name or a derogatory term
9 based on race, religion, gender, ethnicity -- now
10 it's harassment.

11 Q. Okay.

12 A. Knocking books out of hand is bullying.
13 Knocking books out of hand while calling someone a
14 disparaging term is harassment.

15 Q. Okay. And so for complaint forms or
16 incident forms that talk about harassment, that's
17 why you'd go to the same place.

18 You'd go to the place you said is
19 listed literally as Bullying Harassment Reporting?
20 And you can look at the complaint forms and you can
21 look at the investigative forms?

22 A. Correct.

23 Q. Does Harford County Public Schools have
24 a policy currently regarding students' use to --
25 I'm sorry -- access to or use of cell phones or

1 personal electronic devices at school?

2 A. There is a recently updated cell phone
3 policy sometime this spring. I -- I couldn't tell
4 you if it was exactly which month, but recently.

5 Q. Did you have any role in drafting that
6 policy?

7 A. I did not.

8 Q. Did you have any role in reviewing it
9 or commenting on it before it was submitted to the
10 Board of Education for approval?

11 A. I did not.

12 Q. Did you have any role in the Board of
13 Education adopting that policy?

14 A. No role.

15 Q. Did you have any role in drafting the
16 prior policy?

17 A. That is possible, but I don't recall.

18 Q. Did you have any role in reviewing or
19 commenting on the prior policy before that policy
20 was submitted to the Board of Education for
21 approval?

22 A. It's -- I would remember if I was
23 involved in that. There are certain policies and
24 procedures that I have more vested interest in or
25 I'm even invited to be a part of. Cell phones

1 isn't one of them.

2 Q. Okay. So is it your belief that you
3 did not have any role, then, in reviewing or
4 commenting on the prior policy before it was
5 adopted by the Board of Education?

6 A. I am saying that. It's just under
7 oath. I'm trying really hard to make sure I don't
8 say the wrong thing.

9 There's a possibility somebody may have
10 asked me something along the line, but it's not
11 something that I recall.

12 Q. Did you have any role in drafting the
13 prior policy?

14 A. I don't believe so, no.

15 Q. Do you know what the current policy
16 says about when students are permitted to access or
17 use cell phones or personal electronic devices at
18 school?

19 A. In general terms, I do.

20 Q. What are its general terms, as you
21 understand it?

22 A. It's differentiated for elementary,
23 middle and high.

24 At the elementary level, you should
25 have your cell phones in a book bag and turned off

1 during the school period.

2 And then it starts to get a little
3 looser in middle school, where you can have your
4 phone off.

5 There's some difference between middle
6 school and high school that I forget. There's a
7 nuance. So I'm going to skip to high school and
8 say you can have it on your person.

9 Ah. At the middle school, you can't
10 wear devices that connect to the Internet.

11 At the high school, you can. They just
12 need to be off. And your phone can be on your
13 person as well. It just needs to be off during
14 instructional times.

15 Q. Have you advocated for or against the
16 current policy?

17 A. Neither for nor against.

18 Q. Do you have a view on whether the
19 current policy should be changed?

20 A. I believe the current policy is good in
21 theory. As an administrator with years of
22 experience of having to enforce policies, that
23 would feel like holding back a tsunami wave with
24 your hand standing on the shore. It's not
25 something that I would want to do.

1 Our students are so vested in cell
2 phones and cell phone use and being on them during
3 instructional times, it is nearly impossible to
4 manage the policy.

5 And I've spoken with most of our
6 principals. They accept it and they are compliant
7 with it because that's what our Board of Education
8 wants. But it doesn't mean that it's easy or even
9 working very well.

10 Q. What -- what are the consequences for a
11 student who uses a cell phone or a personal
12 electronic device in violation of the current
13 policy?

14 A. It would definitely be a disciplinary
15 removal, ten days or less. That's the category.

16 So they can't come to me for a cell
17 phone violation unless they -- they punch the
18 teacher as a result of being disciplined or -- or
19 corrected.

20 It is almost always, "Go to the office
21 and wait for your parent to come pick you up.
22 We're going to have a conference before you go home
23 with your parent."

24 It sometimes evolves into suspension
25 between one and ten days depending on the history

1 or the pattern and how cooperative the student is.

2 Q. Is there a written document that spells
3 out what the consequences should be for a student
4 who uses a cell phone or a personal electronic
5 device in violation of the current policy?

6 A. Not one that gives specific guidance.
7 Simply, between one and ten days is the maximum
8 suspension.

9 There is a document that provides that
10 level of guidance so that principals understand if
11 a student is refusing to give you a cell phone or
12 continues to use it in an insubordinate way, you
13 can't be expelled for that. So don't send them to
14 my office.

15 Q. Okay. Beyond that, it's up to the
16 principal to decide what the consequences are?

17 A. That is true.

18 Q. So it could be a -- a suspension of ten
19 days or less or something less severe than a
20 suspension?

21 A. Yes. Depending on the individual
22 circumstances.

23 Q. Regardless of the number of times a
24 student uses their cell phone or personal
25 electronic device in violation of the policy?

1 A. That's correct. At its -- at its worst
2 or most severe, I should say, a student could be
3 put on a ten-day contract that says: Listen, you
4 are so pervasive and -- and, you know, you violate
5 this in such a chronic way, every time there's a
6 problem with your cell phone, you're out for ten
7 days. And that would be the most that you could
8 do.

9 Q. If you wanted to find the number of
10 times a student was suspended for violating this
11 policy, where would you go to get that number?

12 A. It would be difficult to -- to
13 determine. I would have to pull disruption,
14 disrespect and electronic -- there's a code for
15 inappropriate use of electronics.

16 It's almost always the inappropriate
17 use of electronics parlays and escalates into a
18 disruption or a disrespect violation. That
19 typically goes in as the primary violation.

20 Q. And you would pull these codes within
21 eSchool?

22 A. Correct.

23 Q. Prior to the adoption of the current
24 policy, was there a document that articulated what
25 the consequences were for a student who used their

1 cell phone or personal electronic device in
2 violation of the prior policy?

3 A. No, because we're talking about 2014
4 and above. Prior to 2014 is a different -- I would
5 have more to say. But not from 2014 on.

6 Q. Okay. So for the prior policy that was
7 in effect from 2014 up until this spring, you're
8 not aware of a document that spells out the
9 consequences?

10 A. I'm not. And I'm -- I'm involved with
11 most of the discipline documents. So I -- I don't
12 think it exists.

13 Q. Prior to the adoption of the new policy
14 this spring, was it still the case that a ten-day
15 suspension was the maximum punishment that could be
16 imposed on a student for violating the policy?

17 A. Yes.

18 Q. So at least --

19 A. I'm sorry to interrupt --

20 Q. Go ahead.

21 A. -- Mr. Keyes. As long as that's the
22 extent of the violation.

23 Q. Right. It doesn't reach --

24 A. It's really rare.

25 Q. It doesn't reach insubordination or --

1 A. Right.

2 Q. -- some kind of physical contact with
3 the teacher or something like that.

4 A. Correct.

5 Q. Okay. So under the prior policy since
6 2014 and under the current policy, the maximum
7 punishment for a student violating the policy on
8 the use of cell phones or personal electronic
9 devices is a ten-day suspension. And that's up to
10 the discretion of the principal?

11 A. Unless another violation came into
12 play, as we discussed earlier.

13 I would have to say I can -- I cannot
14 remember or recall a time where a student just
15 complied and said, "Okay, you caught me. I'm
16 sorry." Which is really what it would amount to.
17 It's almost always a power struggle that escalates.

18 Q. Have you advocated for principals to
19 have the authority to impose greater punishment
20 than the ten-day suspension for violation of the
21 cell phone policy?

22 A. I have actually advocated to the Board
23 of Education, not specifically citing cell phones,
24 but to -- in general asking for the Board of
25 Education's support to give us -- to help us get

1 the laws -- the statute changed to give principals
2 greater discretion. But that's not just for cell
3 phones. That's for everything.

4 Q. When you say "to give principals
5 greater discretion," you need the law changed,
6 what -- what law or laws are you referring to?

7 A. The Maryland Annotated Code would be
8 7-305. And the regulation that correlates to that
9 would be 13A.08.01.11.

10 And those limit suspension to ten days
11 except for two pathways. One is chronic
12 disruption, which has four criteria that have to be
13 met, and one is an imminent threat of serious harm,
14 which is a very high bar.

15 So a student with a cell phone who was
16 asked to put it away or turn it over, go to the
17 office, who doesn't want to do that, can escalate
18 to the point of saying to a teacher, "I'll kill
19 you. You don't know me. I'll kill you. You
20 better watch your back."

21 And then a threat assessment is done,
22 and it turns out to be, well, it's not really
23 imminent. He was just venting. That student can't
24 be expelled.

25 And the principal discretion that I

1 speak to said the principal should be able to
2 decide whether that case comes forward to my
3 office.

4 Q. Have you advocated for other changes to
5 the law regarding students' access to or use of
6 cell phones?

7 A. No, I have not.

8 Q. Are Harford County Public School
9 students given access to YouTube on district-issued
10 devices?

11 A. My understanding is that Harford County
12 tells its teachers and principals you have to make
13 sure that it's a restricted mode, and -- and then
14 there is access on student-issued devices and --
15 and teachers' computers they're using. But I'm not
16 an expert in what "restricted mode" means.

17 Q. Okay. And are students also able to
18 access YouTube on the Harford County Public Schools
19 network?

20 A. Well, officially and technically on the
21 record, no. But I -- I do have -- I've spoken with
22 a lot of students, including my own children, who
23 are now 22 and 26, who say it's really easy to get
24 a VPN or a virtual private network, work your way
25 around the system.

1 There are certain places you can click
2 links, open applications, and put those links in to
3 watch the videos. So as early as sixth grade, our
4 students know how to get around the system.

5 Q. So is it your belief that students are
6 not able to access YouTube on the Harford County
7 Public Schools network?

8 A. I -- I don't know how to answer your
9 question other than to say I believe they can
10 because the network is set up for this restricted
11 mode, which means it's a safer place for them.

12 I mean, it's obviously -- you all are
13 the experts in that area. But I do believe a
14 student can access it because the network is
15 connected to a restricted mode-type process.

16 Q. Okay. To your knowledge, is -- is
17 access to YouTube blocked on Harford County Public
18 Schools' Internet content filter?

19 A. I believe if it -- if it -- the answer
20 to your question is sometimes. If they're trying
21 to access something that has whatever inappropriate
22 comment is as determined by our office of
23 technology, they can't access it.

24 And if it is considered appropriate and
25 it fits within the restricted mode filter, then

1 they could access it.

2 Q. And is -- is your understanding the
3 same, then, for whether students can get access to
4 YouTube on their personal electronic devices when
5 those are connected to the Harford County Public
6 Schools network?

7 A. I'm -- I'm making an assumption that
8 that is -- that is correct. But I don't have
9 personal experience with it.

10 Q. Have you advocated at any point for a
11 change to Harford County Public Schools giving
12 students access to YouTube on district-issued
13 devices?

14 A. I have not advocated. I typically
15 defer to my colleagues who are more in the
16 curriculum and instruction area on those matters.

17 Q. Have you advocated at any point for a
18 change to Harford County Public Schools giving
19 students access to YouTube on personal electronic
20 devices when connected to the district's network?

21 A. I have not advocated one way or the
22 other.

23 Q. Are Harford County Public Schools'
24 students blocked from accessing social media on
25 district-issued devices?

1 A. I don't know the answer to your
2 question.

3 Q. Are Harford County Public School
4 students blocked from accessing social media on
5 their personal electronic devices when connected to
6 the district's network?

7 A. I understand the question. I -- I --
8 I'm under the impression, based on the evidence
9 that I'm seeing on a daily basis, that they're
10 using their personal devices to access. But I -- I
11 don't know all the fancy ways children have of
12 getting access to this stuff.

13 Again, I don't -- I'm pretty sure they
14 have ways of getting around any blockages that are
15 part of the Harford County restrictions.

16 Q. Okay. Well, you're -- you're stating a
17 belief that they can evade blocks if blocks are in
18 place.

19 A. Right.

20 Q. My question is whether you know whether
21 Harford County Public Schools has blocked student
22 access to social media either on their
23 school-issued devices or on their personal
24 electronic devices when connected to the district's
25 network.

1 A. Right.

2 Q. And you don't know the answer to that
3 question?

4 A. I do understand the question, and I
5 don't know the answer.

6 Q. Okay. Have you ever advocated for a
7 change to Harford County Public Schools' decision
8 whether to block or not block students' access to
9 social media?

10 A. No. Again, I would defer to my
11 colleagues who work in that area for curriculum and
12 instruction. I'm more on the end of what happens
13 when you violate the rules.

14 Q. From your perspective, have you seen
15 any change in students' use of cell phones or
16 personal electronic devices at school since the new
17 policy was adopted?

18 A. I have not seen a change. I have
19 spoken to several principals about the cell phone
20 policy, not related to this proceeding, just in
21 general how's it going.

22 And the general consensus is it's a lot
23 of work and the cost is sometimes not worth the
24 benefit. Students are still on their phones. It's
25 pretty disruptive.

1 Q. So in those conversations with
2 principals, have they offered to you any suggestion
3 for how to address the cell phone problem?

4 A. They are -- they're pretty frustrated
5 and -- and overwhelmed by the problem. You know,
6 we're -- we're all looking for answers.

7 Q. Does -- does Harford County Public
8 Schools have a YouTube channel?

9 A. If they do, I'm not aware of it.

10 Q. Does Harford County Public Schools have
11 a Facebook account?

12 A. I've seen the little symbol on the HCPS
13 website, but I'm not familiar with it. I don't
14 access it.

15 Q. Does Harford County Public Schools have
16 an Instagram account?

17 A. Same answer. I -- I believe the --
18 that's somehow linked to the website, but I'm not
19 familiar with it.

20 Q. Okay. So Harford County Public Schools
21 has a website. Yes?

22 A. That's true.

23 Q. And you've seen on the website the
24 Facebook logo?

25 A. The little logos.

1 Q. And you've seen the Instagram logo on
2 the website?

3 A. Yes.

4 Q. And have you clicked on either of those
5 logos to get linked to the Harford County Public
6 Schools Facebook or Instagram account?

7 A. No. With all due respect to my social
8 media experts here, I'm pretty analog kind of a
9 guy.

10 Q. Okay. But it -- is it your belief,
11 even if you haven't clicked on them, that those two
12 logos, one for Facebook and one for Instagram on
13 the website, allow someone to get to the Harford
14 County Public Schools Facebook or Instagram --

15 A. I mean, that's my assumption of how it
16 works.

17 Q. Okay. What's the basis for your
18 assumption?

19 A. Because I've clicked on links. I know
20 what hyperlinks are.

21 Q. Okay. Does Harford County Public
22 Schools have any social media account at all?

23 A. Possibly, Mr. Keyes. I'm not aware of
24 it.

25 Q. Okay. So have you ever created any

1 content to be posted to a Harford County Public
2 Schools social media page?

3 A. All of my postings were previously --
4 the answer is no. Previously -- I'm forgetting
5 what it's called -- the SharePoint and now Teams,
6 Microsoft Teams.

7 And if somebody could get -- because I
8 do produce a lot of information. Somebody could
9 get something that I produced and post it without
10 my knowledge to a site. That could happen.

11 Q. But you've not created any content
12 for -- with the purpose of posting it to a Harford
13 County Public Schools social media page.

14 A. No.

15 Q. Is that correct?

16 A. That's correct.

17 Q. And you've never posted to the social
18 media pages either?

19 A. No. I wouldn't even know how.

20 Q. And has anyone asked you to review or
21 comment on content they had created to be posted on
22 a Harford County Public School social media page?

23 A. Not to my recollection, no.

24 (WILLIAMS EXHIBIT 2, 2023-2024
25 Parent-Student Handbook Calendar, was marked for

1 identification.)

2 BY MR. KEYES:

3 Q. I'm showing you what has been marked as
4 Williams Exhibit 2.

5 A. Thank you.

6 Q. This document was produced to us with
7 the Bates numbers HCPS_00019338 through 19372.
8 This is titled the "2023-2024 Parent-Student
9 Handbook Calendar."

10 I'll give you a chance to take a look
11 at that document.

12 A. I am familiar with it, Mr. Keyes, and I
13 know that there's a lot of text in here. It's the
14 closest thing we have to a -- in terms of my
15 responsibilities in the school system, a code of
16 conduct.

17 Q. Okay. So is this a handbook?

18 A. It is a handbook that's provided to
19 students and parents.

20 Q. And how is it distributed to parents
21 and students, at least for the 2023-2024 school
22 year?

23 A. Principal discretion is my
24 understanding. It can be shared electronically.

25 I do believe students are expected --

1 or parents are expected to actually sign off --
2 it's on a school-by-school basis -- to show that
3 they have been provided as a due process procedure
4 for us so that later, when we say, "You didn't
5 follow the rules," and they say, "I didn't know the
6 rules," we say, "Well, you signed that you did."

7 And this is the handbook that we use to
8 share the rules.

9 Q. And is there a particular section or
10 sections that you consider to be the code of
11 conduct, or do you consider the entire document to
12 be a code of conduct?

13 A. Not the entire document. There would
14 be specific things. And if you'll give me a moment
15 here, I'll --

16 Q. Sure.

17 A. -- let you know where -- where it
18 begins. But it's the student discipline stuff.

19 And I also am responsible for other
20 areas of this unrelated to student discipline.
21 That's under my pupil personnel worker supervisor.

22 For example, on Page 9, in the upper
23 left corner you'll see Boundary Exceptions. School
24 Assignment. That's an area for which I am
25 responsible.

1 Now I'm just -- and anything that has
2 to do with attendance, I'm responsible for that.
3 And it looks like maybe Rights and Responsibilities
4 of Students starts on Page 11 in the middle column
5 halfway down. Dress code is there.

6 Now I'm continuing -- yeah. Then it
7 gets into search, arrests, safe schools.

8 So that's really where I begin for
9 discipline purposes, on Page 11. And then it goes
10 through 13, 14, 15, and ends -- ends on 15, it
11 looks like.

12 Q. So in the event that a student is the
13 subject of a disciplinary hearing before you for
14 conduct during the 2023-2024 school year, if the
15 student or the student's parents say, "We didn't
16 know that was a rule," you would refer them to this
17 exhibit or portions of this exhibit. Yes?

18 A. I could, yes.

19 Q. You could. Have you done that?

20 A. Yes.

21 Q. And if a student or the parents of the
22 student say, "We didn't agree to these terms," is
23 there some other document you have access to to
24 show the student and the parents of the student
25 that they did agree to these terms?

1 A. I would then defer my decision because
2 the parent's saying, "Hey, you didn't give me
3 proper due process."

4 I would go back to the principal either
5 through a temporary delay, maybe a 15-minute
6 recess, or have to reschedule for another day, and
7 let the principal know, "Hey, I hope you have
8 something that the parents signed off on that they
9 received this. Because if not, the student is
10 coming back."

11 Q. And there's no -- strike that.

12 Principals are given some discretion
13 about the way in which they communicate this
14 parent-student handbook to students and families?

15 A. Yes. For example, at the high school
16 level, you pick a course that is -- everybody
17 cycles through, like English. And everybody in
18 English class on the first or second day of school
19 gets it.

20 And I have a recommended signature form
21 so that there's some uniformity -- they can use it
22 or they don't have to use it -- and that typically
23 goes home to parents. Parents sign it, and it
24 comes back.

25 And the front office monitors all of

1 the forms that need to be signed, and it's part of
2 a whole package. Sign if you want -- if you're
3 giving permission for your child to be
4 photographed, for example. It's part of that
5 package.

6 Q. And then do the principals typically
7 keep those records to show that the student and the
8 parents of the student acknowledge receipt of the
9 handbook and agree to abide by its terms?

10 A. In most cases, I am able to get that
11 from principals. There are occasions when it
12 doesn't happen. And then the student usually
13 returns and I end the suspension, making sure that
14 I document that the parent now understands the --
15 the rules.

16 Q. Would you turn to Page 4 of this
17 exhibit.

18 A. Okay. I'm on Page 4.

19 Q. And you'll see three columns of text.
20 If you look on the upper right hand, the third
21 column, do you see a section titled "Website and
22 Social Media"?

23 A. Yes.

24 Q. And so the student handbook says: The
25 school system's website, www.hcps.org, offers

1 information to meet the needs of parents and
2 guardians, students, staff, and the general
3 community.

4 Do you see that?

5 A. Yes.

6 Q. Then it says: The website and app
7 serve as quick resources to the most requested
8 information.

9 Do you see that?

10 A. I do.

11 Q. And then it says: Follow us on
12 Facebook, Twitter and YouTube.

13 Do you see that?

14 A. I do.

15 Q. Does that refresh your recollection
16 that Harford County Public Schools has a YouTube
17 channel?

18 A. I believe -- I believe it, sure.

19 Q. Okay. Does that jog any memory of you
20 at any point going onto the Harford County Public
21 Schools YouTube channel?

22 A. No. Unless I was required to watch
23 a -- maybe a training video or something, and
24 that's where it was housed. But I don't recall
25 intentionally clicking on YouTube to watch

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1 something.

2 Q. Could you turn to Page 6 of Williams
3 Exhibit 2?

4 A. All right. This is the calendar,
5 right? The handbook, Page 6?

6 Q. Yes. It looks like you're on the right
7 page.

8 A. Okay. I'm there.

9 Q. In the -- in the lower left of this
10 page, do you see a section titled "Responsible Use
11 of Technology"?

12 A. Yes.

13 Q. And that has three separate paragraphs?

14 A. Yes.

15 Q. The second paragraph says: Harford
16 County Public Schools utilizes an outside Internet
17 filtering company to ensure the safety of our
18 students while they access the Internet. The use
19 of its filter system also allows Harford County
20 Public Schools to comply with the Child Internet
21 Protection Act. Students are expected to
22 demonstrate responsible and ethical behavior in the
23 use of the resources as outlined in the RUP.

24 Do you see that?

25 A. Yes.

1 Q. Do you understand the RUP --

2 A. Responsible use procedure?

3 Q. Yes. Do you know what Internet
4 filtering company Harford County Public Schools
5 is -- used during the 2023-2024 school year?

6 A. No, I do not.

7 Q. Have you heard of the Child Internet
8 Protection Act before?

9 A. Yes.

10 Q. Do you understand that the Child
11 Internet Protection Act requires public schools to
12 use a Internet filter on its devices and network?

13 A. I believe that's the case. I'm really
14 not fully schooled up on the -- on the nuances of
15 it, the specifics.

16 Q. Okay. Then there's another paragraph
17 that's captioned "YouTube."

18 Do you see that?

19 A. Yes.

20 Q. It says: YouTube is utilized as an
21 instructional tool for HCPS students. YouTube is
22 set to restricted mode on HCPS-issued devices and
23 through the HCPS network. Restricted mode is a
24 setting controlled by YouTube algorithms to hide
25 potentially objectionable content. HCPS continues

1 to monitor, evaluate and update YouTube settings to
2 minimize access to inappropriate content.

3 Did I read that correctly?

4 A. Yes.

5 Q. Okay. Does this refresh your
6 recollection that YouTube is accessible to Harford
7 County Public School students on their issued
8 devices and through the district network in
9 restricted mode?

10 MR. LEGG: Objection to form and
11 foundation.

12 THE WITNESS: That's the way I read it.
13 BY MR. KEYES:

14 Q. Okay. Have you ever advocated for a
15 change to the practice that is described here?

16 A. No.

17 Q. Have you ever talked to teachers about
18 how they use YouTube in the classroom?

19 A. I have not.

20 Q. Have you ever talked to teachers about
21 whether and how they use YouTube for homework?

22 A. No, I have not.

23 Q. Have you talked to any assistant
24 principals or principals about how teachers in
25 their school use YouTube in the classroom?

1 A. No.

2 Q. Have you ever talked to any assistant
3 principals or principals about how teachers in
4 their school use YouTube for homework?

5 A. No.

6 Q. Do you have any knowledge one way or
7 the other about how Harford County Public School
8 teachers use YouTube as an instructional tool as
9 described here?

10 A. No, sir. It's just not part of the
11 scope of what I do in the school system.

12 Q. Okay.

13 (WILLIAMS EXHIBIT 3, 2022-2023
14 Parent-Student Handbook Calendar, was marked for
15 identification.)

16 BY MR. KEYES:

17 Q. Let me show you what has been marked as
18 Williams Exhibit 3.

19 Is this the parent-student handbook and
20 calendar for the 2022-2023 school year?

21 A. It appears that way, yes.

22 Q. And is it your understanding that each
23 principal was tasked with making sure that this was
24 distributed to every school family and they had
25 some way of documenting that the family received it

1 and was agreeing to its terms and provisions?

2 A. Yes.

3 Q. Would you turn to Page 6 of this
4 exhibit.

5 Are you there?

6 A. Yes. I'm on Page 6.

7 Q. Okay. And it -- it appears to have the
8 exact same language regarding responsible use of
9 technology. I'm not expecting you to do a
10 word-for-word comparison. And it also appears to
11 have the exact same language regarding YouTube.

12 Do you know how long Harford County
13 Public Schools has been including this kind of
14 language in its student or parent-student handbook?

15 A. I don't. I didn't even know it was in
16 there.

17 Q. Okay. Have -- have you discussed in
18 the past how YouTube can be used for student
19 discipline? Strike that.

20 Have you discussed in the past how
21 social media in general can be used for student
22 discipline?

23 MR. LEGG: Objection to form.

24 THE WITNESS: I'm trying -- I'm trying
25 to respond to that. I'm not sure that I

1 understand. The answer is no as -- as asked.

2 BY MR. KEYES:

3 Q. Okay. What do you mean "as asked"? Is
4 there a --

5 A. I just don't --

6 Q. -- qualifier?

7 A. I just don't understand, Mr. Keyes.
8 Like, I -- it doesn't seem to be something that
9 would come up where I would say, "Hey, as a --
10 maybe a part of the disciplinary process, we're
11 going to somehow use social media." It's not
12 something that I would normally use or talk about.

13 Q. Okay.

14 (WILLIAMS EXHIBIT 4, Email dated
15 11/17/22, Subject: Work Log, Bates
16 HCPS_00530898-900, was marked for identification.)

17 BY MR. KEYES:

18 Q. Let me show you what's been marked as
19 Williams Exhibit 4.

20 MR. KEYES: Tab 28.

21 BY MR. KEYES:

22 Q. This was produced with the Bates number
23 HCPS_00530898 through 530900. It's a series of
24 emails.

25 So tell me when you've reviewed.

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1 A. Does it start on the back, or how does
2 it work? Does it start on -- are they all
3 connected?

4 Q. I think this is an email chain that
5 starts with the email on the bottom of the second
6 page.

7 A. Okay. Let me just --

8 Q. And then the next email is above that,
9 and the most recent email is on the first page. So
10 you might want to read them in chronological order.

11 A. Okay. Thank you.

12 Okay. I've reviewed it.

13 Q. Okay. So this appears to involve an
14 issue of two students involved in an incident that
15 required discipline, correct?

16 A. Yes.

17 Q. Okay. And the email on the first page
18 is from you to Bernard Hennigan on November 17th,
19 2022?

20 A. That's true.

21 Q. Who is Bernard Hennigan?

22 A. My supervisor. And his title is
23 executive director of student services.

24 Q. For how long has Mr. Hennigan been your
25 supervisor?

1 A. I'm going to say 2015 because that's
2 when I picked up the new responsibilities.

3 Q. Since 2015, have you reported to anyone
4 besides Mr. Hennigan?

5 A. I mean, he's the first person in the
6 chain of command. There are other people above him
7 who I occasionally consult with, but he's my
8 supervisor.

9 Q. He's your direct boss?

10 A. Correct.

11 Q. Okay. And he's the only direct boss
12 you've had since at least 2015?

13 A. Correct.

14 Q. Okay. You say in your email to
15 Mr. Hennigan, quote: And another creative
16 intervention for older students is to offer them
17 the option of creating and publishing a public
18 service announcement/apology to the student body
19 via social media platform. It's the modern-day
20 version of wearing a sandwich board outside the
21 school. "I'm sorry I disrupted your day and
22 destroyed the bathroom with a TikTok challenge."
23 Both parents were grateful for the option and
24 agreed to it.

25 Did I read that correctly?

1 A. You did.

2 Q. Okay. So did you suggest to the
3 parents of the students named in this email chain
4 that the students could, as -- as one consequence,
5 create an apology and then publish that apology to
6 the student body via social media?

7 A. I did. I would classify that as an
8 alternative to suspension or for a reduced
9 suspension.

10 Q. Okay. So you -- you said to the -- the
11 students and their parents, "I'm entitled to
12 suspend you for what you did. As an alternative,
13 you can agree to write an apology and then publish
14 it via social media to the student body." Yes?

15 A. That's the gist of it, yes.

16 Q. Okay. And this says the parents were
17 grateful for the option and agreed to it.

18 Does that mean that they went through
19 with this alternative to suspension?

20 A. I remember this case, but it's vague.

21 The way that I think this played out is
22 Mr. Hennigan agreed to it, and I let the principal
23 know, "Hey, I'm going to reduce the suspension.
24 Make sure that this happens."

25 And then I trust that the principal is

1 going to review and that whatever the alternative
2 is, whether it's an essay or, in this case, a
3 social media post, make sure it's sincere and it
4 meets your criteria for "did a good job."

5 Q. Had you suggested this alternative to
6 suspension to other families?

7 A. I had not. In fact, when we talked
8 earlier, I said, "I can't recall ever doing that."

9 I do remember this, but it's not
10 something that happens regularly. We try to be
11 creative and add as many alternatives as we can to
12 give principals ideas.

13 Q. In this case, why did you think it was
14 appropriate for the students to publish their
15 apology to the student body via social media
16 platform?

17 A. I believe the students were very vested
18 in social media and their platforms. And I wanted
19 to give them an opportunity to prove that they were
20 sincere by using something that I thought they
21 would buy into.

22 So instead of a written essay, go ahead
23 and use whatever platform it is that you think is
24 valuable and important and your friends are going
25 to pay attention to it.

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1 Q. So you thought it was an effective way
2 of getting the apology out to the student body?

3 A. Correct.

4 Q. Have you ever requested that any
5 defendant in this case modify any feature or
6 function of their platform?

7 A. I don't believe so.

8 Q. Have you ever requested that any
9 defendant in this case discontinue any feature or
10 function of their platform?

11 A. There have been cases where I've
12 asked -- I think so. So I'm going to answer that
13 and then you can guide.

14 I have asked for parents to verify that
15 certain -- what's it called? Like when they're --
16 they're part of something, they're -- if they're
17 part of, like, an Instagram site, profile, if you
18 will, "Hey, I need to know that that profile that
19 you had up is gone."

20 And then I'll work with the parents or
21 I'll work with the principal to make sure that that
22 has been discontinued.

23 That's really the extent of it. "You
24 did something bad with this profile. I need to
25 make sure that profile is not around anymore."

1 Q. So that involves some kind of content,
2 whether it be a profile or a posting by a student
3 that you want taken down or changed?

4 A. In -- in that example, yes.

5 Q. And that's a request you make to the
6 student or the student's parents or both?

7 A. Yes. It's not something that I can
8 require, obviously. But I can certainly factor it
9 into my discipline decision about how serious they
10 are about being remorseful and making a change.

11 Q. So have you ever made any request to a
12 defendant in this case that they discontinue any
13 feature or function of their platform?

14 A. Meaning the social -- TikTok and
15 Instagram, et cetera? No.

16 Q. Have you had a communication of any
17 sort with any of the defendants in this case about
18 their features or functions?

19 A. No.

20 Q. Have you had any communication of any
21 sort with any of the defendants in this case about
22 anything?

23 A. No.

24 Q. Who are the defendants in this case, as
25 you understand it?

1 A. I believe there are four. Let me go
2 through a mental list here. We've got Meta, which
3 I believe is Facebook and Instagram. And TikTok
4 stands alone and Snapchat stands alone. And then
5 there's Google and YouTube.

6 Q. And so knowing that list, have you had
7 any communication of any sort with any of those
8 companies about anything?

9 A. No.

10 Q. Do you have any personal knowledge
11 about Harford's policies and procedures concerning
12 social media use by students?

13 A. I don't recall anything specific about
14 it.

15 Q. You do have some familiarity with how a
16 discipline incident would be coded if a student
17 violated a policy regarding use of a cell phone or
18 a personal electronic device, correct?

19 A. Yes. It would almost always be some
20 other code in association with inappropriate use of
21 electronics.

22 Q. Okay. So are you aware of Harford
23 County Public Schools having any policies or
24 procedures concerning social media use by students?

25 A. I'm not aware.

1 Q. And you testified before that students
2 use social media to instigate conflict, promote
3 or -- or advertise fights before and after they
4 occur, and to escalate conflict after the fights?

5 A. That's correct.

6 Q. And you've testified that students
7 really like to have their cell phones with them and
8 use their cell phones, including to stay abreast of
9 what's being posted about fights.

10 Are you able to -- do you have any
11 personal knowledge about social media use by
12 Harford students beyond that?

13 MR. LEGG: Objection to form and
14 foundation.

15 THE WITNESS: Outside of the
16 disciplinary realm and the criminal reportable
17 offenses that I deal with, I know it's important to
18 young people just because I'm connected to young
19 people, but not specifically what they do with them
20 or how they connect.

21 I usually work with videos and
22 snapshots that are part of evidence exhibits
23 labeled as -- as your exhibits are.

24 BY MR. KEYES:

25 Q. And outside of what you describe as the

1 disciplinary realm and the reporting of criminal
2 offenses, do you have any personal knowledge about
3 safety and security policies within the district?

4 MR. LEGG: Objection to form and
5 foundation.

6 THE WITNESS: No, I don't.

7 BY MR. KEYES:

8 Q. And outside of what you describe as the
9 disciplinary realm and the reporting of criminal
10 offenses, do you have any personal knowledge about
11 safety and security measures within the district?

12 MR. LEGG: Objection to form and
13 foundation.

14 THE WITNESS: No, I don't.

15 BY MR. KEYES:

16 Q. Do you use YouTube?

17 A. Yes.

18 Q. Do you have a YouTube account?

19 A. I'm pretty sure you have to make an
20 account at some point to -- to use it. I'm -- I'm
21 not really sure. It's not something that I use
22 regularly. It's possible that there's an account
23 out there somewhere.

24 Q. So when you use YouTube, how do you
25 access it?

1 A. I just Google search how to fix the air
2 cleaner on my Harley-Davidson. And if that's one
3 of the videos that comes up, I watch it.

4 Q. Okay. So when you use or watch YouTube
5 content, one of the categories is sort of how-to
6 videos?

7 A. That's -- that's mainly when I'm
8 interested in fixing things.

9 Q. Are there other categories of videos
10 that you use or watch on YouTube?

11 A. In the past, when I created
12 professional development for administrators, I'll
13 try to find a clever humorous clip here and there
14 and use those. But that's really about the extent
15 of it.

16 Q. When was the last time you used
17 YouTube?

18 A. Probably within the month.

19 Q. Within the past month, you mean?

20 A. Within the past month.

21 Q. And for how long have you been using
22 YouTube?

23 A. I'm going to estimate about ten years.
24 When it became a thing when you were trying to fix
25 something and your neighbor said, "Have you looked

1 on YouTube?"

2 Q. Have you posted content to YouTube?

3 A. I have attempted to post some things.
4 There may be some things out there. I'm not
5 exactly sure what it is.

6 Q. Well, what -- what kind of content have
7 you tried to post to YouTube?

8 A. I -- I think it falls into the category
9 of, maybe, professional development clips that I
10 just want to make sure I don't lose.

11 So if I click on, like, an Internet or
12 the Wi-Fi is down during a presentation, I seem to
13 remember that's what I was trying to do at the
14 time.

15 (WILLIAMS EXHIBIT 5, Emails, top one
16 dated 4/27/21, Subject: Buzz's You Tube Video
17 Link, Bates HCPS_00246650-651, was marked for
18 identification.)

19 BY MR. KEYES:

20 Q. I'll show you what has been marked as
21 Williams Exhibit 5. This is a document that was
22 produced with the Bates number HCPS_00246650
23 through 651. It's a series of emails.

24 Tell me when you've reviewed this
25 series of emails.

1 A. Okay. Thank you. Just give me a
2 moment.

3 Okay. I've reviewed it.

4 Q. You have. Okay.

5 On the first page, bottom half, there's
6 an email from you to Jason Berends, B-E-R-E-N-D-S,
7 dated April 16th, 2021.

8 Do you see that?

9 A. Yes.

10 Q. Who is Jason Berends?

11 A. A person who works in our office of
12 technology. Typically, I'll go to if I have video
13 questions.

14 Q. Okay. And you say: Jay, here's my
15 video uploaded to my personal YouTube channel.

16 Does that jog a memory that you had
17 a --

18 A. Yeah. That's the thing --

19 Q. -- personal YouTube channel?

20 A. I'm sorry to interrupt.

21 Q. Okay.

22 A. That's what I'm referring to earlier
23 when I said I'm pretty sure there's one out there.
24 I've dabbled with it. I tried to get stuff
25 uploaded. I'm not an expert.

1 Q. Okay. And he's -- he's listed here as
2 a videographer in the office of communications.

3 Were you sending the video to
4 Mr. Berends so it could be posted to Harford's
5 YouTube channel?

6 A. I'm going to look at it a little more
7 carefully so I can --

8 Q. Sure.

9 A. -- answer you. It doesn't sound like
10 something I would even know how to do.

11 I know my intent here was to get the
12 pupil personnel workers to look at the routes on
13 these particular hiking paths. So let's see.

14 To the best of my recollection, I -- I
15 would not have asked for this to be uploaded to a
16 Harford County YouTube site. I'm pretty sure I was
17 trying to make it available as a link that I could
18 email to the PPWs.

19 Q. So were you asking for Mr. Berends'
20 technical help on a way of giving access to the
21 PPWs who worked for you access to this YouTube
22 video?

23 A. Yes. And I recall the thought process
24 of, I don't want to get myself in trouble by
25 providing some link to something that I'm not

1 supposed to -- to use, and can you help me do it
2 the right way? That seems to be what I remember.

3 Q. Were there other occasions where you
4 posted content to your own personal YouTube
5 channel?

6 A. Just in that category that I told you
7 earlier where I didn't want to lose a video because
8 of a -- maybe a Internet's down or a bad Wi-Fi.
9 And I wanted to be able to -- to click it and --
10 and open it.

11 There was a time where I was able to
12 actually isolate the video, but I don't remember
13 how to do it. And I don't think the software is
14 available anymore.

15 Q. Do you have any social media accounts
16 yourself?

17 A. Facebook for Marketplace.

18 Q. Anything else?

19 A. None, no. Especially the ones that we
20 just talked about. I mean, I'm aware of them. I
21 know what they are. I see the screenshots. But I
22 don't personally have accounts.

23 Q. Do you have kids?

24 A. 22 and 26.

25 Q. Did they have cell phones when they

1 were in high school?

2 A. They did. I think they might have been
3 starting in the flip category and then moving into
4 smartphones. They were part of that transition.

5 Q. So did they have cell phones when they
6 were in middle school?

7 A. They did.

8 Q. Okay. So they had cell phones in
9 middle school, high school and thereafter?

10 A. Correct.

11 Q. Okay. When they had cell phones in
12 middle school, did they have access to YouTube?

13 MR. LEGG: Objection to form,
14 foundation and relevance.

15 THE WITNESS: I -- I -- I am fairly
16 confident that they watched YouTube videos in --
17 while they were in school or in their school-age
18 years.

19 BY MR. KEYES:

20 Q. Did they have a YouTube account when
21 they were in middle school?

22 MR. LEGG: Objection to form,
23 foundation and relevance.

24 THE WITNESS: I don't recall whether
25 they had a YouTube account.

1 BY MR. KEYES:

2 Q. When they had cell phones in high
3 school, did they have access to YouTube on their
4 cell phones?

5 MR. LEGG: Objection to form.
6 Foundation. Relevance.

7 THE WITNESS: I'm making an assumption,
8 yes. But it's not something that I can clearly
9 recall working with them on.

10 BY MR. KEYES:

11 Q. Did they have a YouTube account when
12 they were in high school? Either of them?

13 MR. LEGG: Objection to form.
14 Foundation. Relevance.

15 THE WITNESS: I don't recall them
16 routinely accessing a YouTube channel.

17 I think my children have been honest
18 with me that they've had social media accounts that
19 Mom and I did not know about, because typically
20 students will try to get around their parents
21 knowing about things. They probably did, but I
22 just don't know for sure.

23 BY MR. KEYES:

24 Q. When they had cell phones in middle
25 school or high school, did you use any of the

1 parental controls on the device to block their
2 access to YouTube?

3 MR. LEGG: Objection to form.
4 Foundation. Relevance.

5 THE WITNESS: My wife and I researched
6 as best we could every kind of parental control.
7 So I would say yes, although I couldn't walk you
8 through the steps of doing it.

9 And we also required the phones to be
10 on the kitchen counter when they went to bed so we
11 could get into their phones.

12 The problem is, as many students will
13 have, other accounts.

14 So we're saying, "Mom and I are looking
15 at your accounts to check what you have," and they
16 have other accounts that we don't know about, as
17 many students do. And that's a workaround that not
18 a lot of parents know.

19 BY MR. KEYES:

20 Q. Separate -- separate from what they
21 had, when they had cell phones in middle school and
22 high school, did you use any of the parental
23 controls on their cell phones to block their access
24 to YouTube?

25 MR. LEGG: Objection to form,

1 foundation and relevance.

2 THE WITNESS: I'm fairly confident we
3 did, Mr. Keyes. I just don't recall for sure.

4 BY MR. KEYES:

5 Q. How did you block their access to
6 YouTube on their cell phones?

7 MR. LEGG: Same objection.

8 THE WITNESS: I can tell how I would
9 have done it. My wife and I would have said,
10 "Okay, the kids look like they're getting into
11 YouTube. Let's Google search how to operate these
12 parental controls."

13 And then, if the instructions were
14 listed, we would have followed them and hoped that
15 it helped in some way.

16 BY MR. KEYES:

17 Q. That's how you think you would have
18 done it sitting here today?

19 A. I think we would have done it back
20 then. I -- I just -- again, under oath, I'd like
21 to be able to tell you the absolute truth. I'm
22 pretty sure we did. I'm just not 100 percent sure.

23 Q. When they had cell phones in middle
24 school and high school, did you use any of the
25 parental controls on their cell phones to block

1 their access to social media?

2 MR. LEGG: Objection to form,
3 foundation and relevance.

4 THE WITNESS: Everything that they --
5 that we knew about, we did try our best to put
6 those parental controls in place.

7 BY MR. KEYES:

8 Q. But did that include blocking their
9 ability to access social media on their cell
10 phones?

11 MR. LEGG: Objection to form,
12 foundation and relevance.

13 THE WITNESS: I perceived it that way
14 at the time that I was trying to put the
15 protections in place.

16 BY MR. KEYES:

17 Q. And why, when they were in middle
18 school or high school, did you want to block their
19 access to YouTube --

20 MR. LEGG: Objection to form.

21 BY MR. KEYES:

22 Q. -- on their cell phones?

23 MR. LEGG: Objection to form,
24 foundation and relevance.

25 THE WITNESS: Oftentimes, in the role

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1 that I'm in, I would see inappropriate content that
2 was both of a violent nature and of a sexual
3 nature. And I wanted to protect them from that
4 content.

5 BY MR. KEYES:

6 Q. So you were worried about what content
7 they might be able to access on YouTube?

8 A. I was.

9 Q. Was that what drove your decision to
10 use parental controls to block their access to
11 YouTube?

12 MR. LEGG: Objection to form,
13 foundation and relevance.

14 THE WITNESS: Part of it was the
15 content.

16 Even back then, my wife and I were very
17 in tune to the amount of screen time the kids had.
18 And left unsupervised, they would spend too much
19 time watching and scrolling and going through
20 various sites, and we were trying to limit that --
21 that time.

22 So beyond content, there was also our
23 concern about the amount of screen time they had.

24 BY MR. KEYES:

25 Q. Have you participated in any way in an

1 effort to compute the -- the damages that Harford
2 County Public Schools claims it suffered as a
3 result of defendants' platforms?

4 MR. LEGG: I'm just going to object to
5 the extent it calls for information subject to the
6 work product doctrine and was prepared in
7 anticipation of litigation.

8 But you can answer to the extent it
9 doesn't fall under that protection.

10 THE WITNESS: I believe what you're
11 referring to is a list of percentages of amount of
12 time that employees may have spent addressing
13 social media issues.

14 And if that's what you're referring to,
15 I do recall assigning 5 percent to the pupil
16 personnel worker group.

17 Q. Okay.

18 (HCPS MD WILLIAMS EXHIBIT 6, Plaintiff
19 Board of Education of Harford County's Amended
20 Objections and Responses to Defendants'
21 Interrogatories (Set 3), was marked for
22 identification.)

23 BY MR. KEYES:

24 Q. I'm showing you what has been marked as
25 Williams Exhibit 6. This document is titled

1 "Plaintiff Board of Education of Harford County's
2 Amended Objections and Responses to Defendants'
3 Interrogatories, Set 3," and then it has an
4 attachment.

5 Have you seen this document before?

6 A. I have only seen the chart on Page 2.

7 Q. Are you talking about the chart that is
8 titled "Program/Department Worksheet"?

9 A. Correct.

10 Q. Have you seen the other chart that's
11 titled "Full-Time Equivalent Worksheet"?

12 A. It looks like something that I would
13 typically see if I was on a human resources site,
14 but I'm not familiar with it specifically.

15 Q. Okay. You don't remember seeing this
16 particular worksheet?

17 A. No.

18 Q. Okay. Going back to the rest of
19 Exhibit 6, have you seen the rest of Exhibit 6
20 besides the program/department worksheet?

21 A. No. My only involvement was one --
22 entry into one field on the chart on Page 2.

23 Q. And is that the field that's third from
24 the bottom titled "Pupil Personnel Services"?

25 A. Yes. That's another expression for PPW

1 or pupil personnel worker.

2 Q. Okay. And are you the one that
3 assigned this 5 percent weight?

4 A. I did.

5 MR. LEGG: I'm -- well, never mind.

6 BY MR. KEYES:

7 Q. And how did you select 5 percent as the
8 weight to be used in this program/department
9 worksheet?

10 MR. LEGG: I'm just going to object to
11 the extent it calls for information subject to the
12 work product doctrine and was prepared in
13 anticipation of litigation.

14 But you can answer to the extent it
15 doesn't fall under that protection.

16 THE WITNESS: I'm very aware of and in
17 tune with the way that our PPWs spend their time
18 and visit them on a regular basis and have
19 conversations with them.

20 And when it comes to social media, a
21 lot of their involvement would -- would be with
22 investigations, for example, of residency.

23 "I need to figure out where this parent
24 lives, so I'll see if I can find some information
25 on social media about an address."

1 And there may be some other examples
2 like that that I could come up with.

3 But I feel -- I feel very good that
4 5 percent -- I feel very good that 5 percent is an
5 accurate reflection, fair and accurate.

6 BY MR. KEYES:

7 Q. Okay. So you picked the 5 percent
8 based on what you believe is your familiarity with
9 the way PPWs spend their time?

10 A. That's correct.

11 Q. Did you rely on any documents in your
12 decision to select 5 percent as the weight?

13 MR. LEGG: I just object to the extent
14 it calls for information subject to the work
15 product doctrine and was prepared in anticipation
16 of litigation.

17 But go ahead and answer to the extent
18 it doesn't fall under those protections.

19 THE WITNESS: I did not use documents.

20 I have a liaison pupil personnel
21 worker. Her name is Mariah Bachman. And when it
22 comes to this kind of what I call "central office
23 business," I will typically reach out to her as a
24 representative and say, "What do you think of this?
25 Is this accurate?"

1 Not really understanding the full scope
2 of the deposition process, it was just another
3 thing that showed up on my computer one day that
4 said, "What do you think about this?"

5 So I called and we had a discussion
6 about it. And I said, "You don't spend a lot of
7 time on social media, but about how much do you
8 spend? Because I'm thinking about it's 5 percent."

9 We went through a couple of scenarios
10 and together agreed that was fair and accurate.

11 BY MR. KEYES:

12 Q. Okay. I think you said you would
13 typically reach out to her as a representative.

14 Did you reach out to her specifically
15 about picking this 5 percent weight?

16 MR. LEGG: I'm just going to object to
17 the extent this calls for information subject to
18 the work product doctrine and was prepared in
19 anticipation of litigation.

20 But go ahead and answer it to the
21 extent it does not fall under those protections.

22 THE WITNESS: The answer is yes.

23 BY MR. KEYES:

24 Q. Did you speak with anyone besides
25 Mariah as part of your work to pick the 5 percent?

1 MR. LEGG: Same objections.

2 THE WITNESS: Nobody else.

3 BY MR. KEYES:

4 Q. So was there any other source of
5 information that you consulted as part of your work
6 to pick the 5 percent?

7 MR. LEGG: Objection to the extent it
8 calls for information subject to the work product
9 doctrine and prepared in anticipation of
10 litigation.

11 But go ahead and answer to the extent
12 it doesn't fall under those protections.

13 THE WITNESS: No. My personal
14 experience and my conversation with Ms. Bachman.

15 BY MR. KEYES:

16 Q. Okay. So this number was derived from
17 your personal experience thinking 5 percent was
18 the -- the correct weight percentage, reaching out
19 to Mariah, asking her for her input, and her
20 agreeing that 5 percent seemed right?

21 MR. LEGG: Same objections.

22 Go ahead.

23 THE WITNESS: That's correct.

24 BY MR. KEYES:

25 Q. And did Mariah explain what she or PPWs

1 are doing during that 5 percent of their time that
2 has some connection to social media?

3 A. The whole conversation was based around
4 and my experience with this is investigations of
5 residency, sometimes to do with boundary exceptions
6 and parents saying, "Hey, I want my child to be in
7 School X, but we're living in Area Y."

8 And they can use social media to
9 determine, you know, a picture of a family standing
10 outside their house on Halloween next to 708 Bel
11 Air Court is an indication of where they actually
12 live.

13 And that's the way we typically use it
14 for investigations, and that's a big part of their
15 job.

16 Q. Okay. So if I understand you
17 correctly, based on your experience and your
18 conversation with Mariah, you reached the 5 percent
19 weight by estimating that 5 percent of PPW's time
20 is spent using social media to investigate things,
21 including residency of a family or a student. Yes?

22 A. Correct.

23 Q. Okay. Does that 5 percent weight
24 include time that PPWs spend in connection with
25 social media for any other purpose?

1 MR. LEGG: Objection to form and
2 foundation.

3 THE WITNESS: I couldn't come up with
4 another way that they use it and neither could
5 Mariah.

6 BY MR. KEYES:

7 Q. Okay.

8 MR. KEYES: We've been going a while.
9 Let's take a break. Thank you.

10 THE VIDEOGRAPHER: Stand by.

11 We are off the record at 1620.

12 * * *

13 (Whereupon, there was a recess in the
14 proceedings from 3:20 p.m. to 3:36 p.m.)

15 * * *

16 THE VIDEOGRAPHER: We are on the record
17 at 1536.

18 MR. KEYES: Thank you, Mr. Williams. I
19 have no further questions.

20 Does anyone on Zoom have any questions
21 for the witness?

22 MR. LEGG: I have no questions.

23 MR. KEYES: Mr. Williams, thank you for
24 your time. We appreciate it.

25 THE WITNESS: All right. I'm a little

1 gun shy. When -- when do I need to be back?

2 MR. KEYES: Off the record.

3 THE VIDEOGRAPHER: This concludes
4 Mr. Williams' deposition. The time was 1 hour and
5 45 minutes.

6 (WHEREUPON, the deposition was
7 concluded at 3:37 p.m.)

8 (Signature Reserved.)

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DEPOSITION ERRATA SHEET

Case Caption: In Re: Social Media Adolescent
Addition/Personal Injury Liability Litigation

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury that
I have read the entire transcript of my deposition
taken in the captioned matter or the same has been
read to me, and the same is true and accurate, save
and except for changes and/or corrections, if any,
as indicated by me on the DEPOSITION ERRATA SHEET
hereof, with the understanding that I offer these
changes as if still under oath.

Signed on the _____ day of
_____, 20____.

DWAYNE EDWARD WILLIAMS

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DWAYNE EDWARD WILLIAMS

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DWAYNE EDWARD WILLIAMS

CERTIFICATE OF REPORTER

I, Cindy A. Hayden, Registered Merit Reporter and Notary Public for the State of Maryland, do hereby certify:

That the foregoing deposition was taken before me on the date and at the time and location stated on Page 1 of this transcript; that the deponent was duly sworn to testify to the truth, the whole truth and nothing but the truth; that the testimony of the deponent and all objections made at the time of the examination were recorded stenographically by me and were thereafter transcribed; that the foregoing deposition as typed is a true, accurate and complete record of the testimony of the deponent and of all objections made at the time of the examination to the best of my ability.

I further certify that I am neither related to nor counsel for any party to the cause pending or interested in the events thereof. Witness my hand, this 6th of May, 2025.



Cindy A. Hayden,
Registered Merit Reporter
Notary Public
State of Maryland
My Commission expires:
April 26, 2029